

B1 (Official Form 1)(4/10)

| United States Bankruptcy Court District of Arizona | | | | Voluntary Petition | |
|---|--|--|--|---|--|
| Name of Debtor (if individual, enter Last, First, Middle): VIA DEL ORO, LLC | | | Name of Joint Debtor (Spouse) (Last, First, Middle): | | |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): | | | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): | | |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 20-3475331 | | | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) | | |
| Street Address of Debtor (No. and Street, City, and State): 8490 South Power Road #105-189 Gilbert, AZ <div style="text-align: right; margin-top: 5px;"> ZIP Code 85297 </div> | | | Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; margin-top: 5px;"> ZIP Code </div> | | |
| County of Residence or of the Principal Place of Business: Maricopa | | | County of Residence or of the Principal Place of Business: | | |
| Mailing Address of Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;"> ZIP Code </div> | | | Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; margin-top: 5px;"> ZIP Code </div> | | |
| Location of Principal Assets of Business Debtor (if different from street address above): | | | | | |
| Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) | | Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts. | |
| Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. | | | Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). | | |
| Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. | | | | THIS SPACE IS FOR COURT USE ONLY | |
| Estimated Number of Creditors <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000 </div> | | | | | |
| Estimated Assets <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion </div> | | | | | |
| Estimated Liabilities <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion </div> | | | | | |

Voluntary Petition*(This page must be completed and filed in every case)*Name of Debtor(s):
VIA DEL ORO, LLC**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

| | | |
|--|--------------|-------------|
| Location Where Filed: - None - | Case Number: | Date Filed: |
| Location Where Filed: | Case Number: | Date Filed: |

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

| | | |
|------------------------------------|---------------|-------------|
| Name of Debtor: - None - | Case Number: | Date Filed: |
| District: | Relationship: | Judge: |

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X _____
Signature of Attorney for Debtor(s) (Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

- ☐ Yes, and Exhibit C is attached and made a part of this petition.
☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):
VIA DEL ORO, LLC**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Blake D. Gunn _____
Signature of Attorney for Debtor(s)

Blake D. Gunn 019112 _____
Printed Name of Attorney for Debtor(s)

Law Office of Blake D. Gunn _____
Firm Name
P.O. Box 22146
Mesa, AZ 85277-2146

Address

Email: bgunn@gunnfirm.com

480-710-8677 _____
Telephone Number

April 4, 2011 _____
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Phyllis Brozzo _____
Signature of Authorized Individual

Phyllis Brozzo _____
Printed Name of Authorized Individual

Manager _____
Title of Authorized Individual

April 4, 2011 _____
Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

United States Bankruptcy Court

District of Arizona

In re **VIA DEL ORO, LLC**

Debtor(s)

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

| (1) <i>Name of creditor and complete mailing address including zip code</i> | (2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | (3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | (4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | (5) <i>Amount of claim [if secured, also state value of security]</i> |
|---|---|--|---|--|
| AT&T Universal Card PO Box 182564 Columbus, OH 43218 | AT&T Universal Card PO Box 182564 Columbus, OH 43218 | Charge Card | | 1,828.90 |
| Aurora Loan Service 10350 Park Meadows Drive Lone Tree, CO 80124 | Aurora Loan Service 10350 Park Meadows Drive Lone Tree, CO 80124 | 1711 W. Hidden View Drive Phoenix, Arizona 85045 | | 30,464.00 (Unknown secured) (167,200.00 senior lien) |
| Bank of America P.O. Box 515503 Los Angeles, CA 90051 | Bank of America P.O. Box 515503 Los Angeles, CA 90051 | 19630 E. Via Del Oro Queen Creek, AZ 85142 | | 300,654.41 (Unknown secured) |
| Chase PO Box 2001 Elgin, IL 60120 | Chase PO Box 2001 Elgin, IL 60120 | Credit Card | | 4,581.62 |
| Chase Home Finance 3415 Vision Dr. Columbus, OH 43230 | Chase Home Finance 3415 Vision Dr. Columbus, OH 43230 | 19630 E. Via Del Oro Queen Creek, AZ 85142 | | 170,446.70 (Unknown secured) (300,654.41 senior lien) |
| Chevron PO Box 530950 Atlanta, GA 30353-0950 | Chevron PO Box 530950 Atlanta, GA 30353-0950 | Charge Card | | 1,390.67 |
| Circle G @ Queen Creek Homeowners Assoc. 1801 S. Extension Road Suite 124 Mesa, AZ 85210 | Circle G @ Queen Creek Homeowners Assoc. 1801 S. Extension Road Suite 124 Mesa, AZ 85210 | | | 157.08 |
| CitCard PO Box 6500 Sioux Falls, SD 57117 | CitCard PO Box 6500 Sioux Falls, SD 57117 | Credit Card | | 17,771.43 |
| Citi American Express PO Box 182564 Columbus, OH 43218 | Citi American Express PO Box 182564 Columbus, OH 43218 | Charge Card | | 1,478.04 |

B4 (Official Form 4) (12/07) - Cont.

In re **VIA DEL ORO, LLC**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1) | (2) | (3) | (4) | (5) |
|---|--|---|--|---|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i> | <i>Amount of claim [if secured, also state value of security]</i> |
| Citi Mortgage P.O. Box 689196 Des Moines, IA 50368 | Citi Mortgage P.O. Box 689196 Des Moines, IA 50368 | 1711 W. Hidden View Drive Phoenix, Arizona 85045 | | 167,200.00 (Unknown secured) |
| Colonial Savings PO Box 2988 Forth Worth, TX 76113 | Colonial Savings PO Box 2988 Forth Worth, TX 76113 | | | 90,000.00 (0.00 secured) |
| Developer Finance 430 Main Street Williamstown, MA 01267 | Developer Finance 430 Main Street Williamstown, MA 01267 | | | 10,000.00 (0.00 secured) |
| Foothills Club West 1801 S. Extension Road Suite 124 Mesa, AZ 85210 | Foothills Club West 1801 S. Extension Road Suite 124 Mesa, AZ 85210 | | | 182.50 |
| Rural Metro Mitchell D. Bluhm & Assoc 2222 Texoma Pkwy, Suite 160 Sherman,, TX 75090 | Rural Metro Mitchell D. Bluhm & Assoc 2222 Texoma Pkwy, Suite 160 Sherman,, TX 75090 | Medical | | 855.56 |
| Shell Oil PO Box 193018 Columbus, OH 43218 | Shell Oil PO Box 193018 Columbus, OH 43218 | Charge Card | | 423.38 |
| Wells Fargo P.O. Box 10335 Des Moines, IA 50306 | Wells Fargo P.O. Box 10335 Des Moines, IA 50306 | 5116 North 82nd Street Scottsdale, AZ 85250 | | 328,786.24 (Unknown secured) |
| WELLS Fargo Bank PO Box 202902 DAllas, TX 75320 | WELLS Fargo Bank PO Box 202902 DAllas, TX 75320 | Other Card | | 10,000.00 |
| WestStar Loan Processing PO Box 500 Phoenix, AZ 85001 | WestStar Loan Processing PO Box 500 Phoenix, AZ 85001 | | | 50,000.00 (0.00 secured) |
| | | | | |
| | | | | |

B4 (Official Form 4) (12/07) - Cont.

In re **VIA DEL ORO, LLC**

Case No. _____

Debtor(s) _____

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **April 4, 2011**Signature **/s/ Phyllis Brozzo****Phyllis Brozzo****Manager**

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

VIA DEL ORO, LLC -

AT&T UNIVERSAL CARD
PO BOX 182564
COLUMBUS OH 43218

AURORA LOAN SERVICE
10350 PARK MEADOWS DRIVE
LONE TREE CO 80124

BANK OF AMERICA
P.O. BOX 515503
LOS ANGELES CA 90051

CHASE
PO BOX 2001
ELGIN IL 60120

CHASE HOME FINANCE
3415 VISION DR.
COLUMBUS OH 43230

CHEVRON
PO BOX 530950
ATLANTA GA 30353-0950

CIRCLE G @ QUEEN CREEK HOMEOWNERS ASSOC.
1801 S. EXTENSION ROAD
SUITE 124
MESA AZ 85210

CITICARD
PO BOX 6500
SIOUS FALLS SD 57117

CITI AMERICAN EXPRESS
PO BOX 182564
COLUMBUS OH 43218

CITI MORTGAGE
P.O. BOX 689196
DES MOINES IA 50368

COLONIAL SAVINGS
PO BOX 2988
FORTH WORTH TX 76113

VIA DEL ORO, LLC -

DEVELOPER FINANCE
430 MAIN STREET
WILLIAMSTOWN MA 01267

FOOTHILLS CLUB WEST
1801 S. EXTENSION ROAD
SUITE 124
MESA AZ 85210

ROSSMAR & GRAHAM
P.O. BOX 54700
LOS ANGELES CA 90054

ROSSMAR & GRAHAM
P.O. BOX 54700
LOS ANGELES CA 90054

RURAL METRO
MITCHELL D. BLUHM & ASSOC
2222 TEXOMA PKWY, SUITE 160
SHERMAN, TX 75090

SHELL OIL
PO BOX 193018
COLUMBUS OH 43218

TIFFANY & BOSCO
2525 EAST CAMELBACK RD
SUITE 300
PHOENIX AZ 85016

WELLS FARGO
P.O. BOX 10335
DES MOINES IA 50306

WELLS FARGO BANK
PO BOX 202902
DALLAS TX 75320

WESTSTAR LOAN PROCESSING
PO BOX 500
PHOENIX AZ 85001